

Notice of Allowability

Application No.

09/788,059

Applicant(s)

BANTZ ET AL.

Examiner

James A. Reagan

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on 18 September 2006.
2. ☒ The allowed claim(s) is/are 1-3, 9-14, 20-25, and 31-33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the response filed on 18 September 2006.
2. Claims 1, 12, and 23 have been amended by Examiner's amendment below.
3. Claims 4-8, 15-19, and 26-30 have been canceled by Examiner's amendment below.
4. Claims 1-3, 9-14, 20-25, and 31-33 are currently pending and have been examined.

Allowable Subject Matter

5. Claims 1-3, 9-14, 20-25, and 31-33 are allowed. See Reasons for Allowance under separate heading.

Information Disclosure Statement

6. The Information Disclosure Statement filed on has been considered. An initialed copy of the Form 1449 is enclosed herewith.

EXAMINER'S AMENDMENT

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

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8. Authorization for this examiner's amendment was given in a telephone interview with Francis Lammes on 15 November 2006.

The application has been amended as follows:

1. (Currently amended) A method of providing service provider information to a client device in a distributed computer system, comprising:

obtaining bids from a plurality of service providers for providing a service;

responsive to obtaining the bids, obtaining route information from a route determination provider based on a first location associated with the client device and a second location associated with a corresponding service provider;

obtaining historical travel data from a historical database;

calculating an estimated time of travel for each of the plurality of service providers based on the route information and the historical travel data;

electronically determining an estimated time of completion for the service for each of the plurality of service providers based on the calculated estimated time of travel for each of the plurality of service providers; and

providing the bids from the plurality of service providers and the estimated time of completion for the service for each of the plurality of service providers to the client device, wherein the each bid includes a price for providing the service, wherein the each bid further includes an estimated time to perform the service at the second location, and wherein determining an estimated time of completion for the service for each of the plurality of service providers comprises adding the estimated time of travel to the estimated time to perform the service at the second location.

2. (Previously presented) The method of claim 1, further comprising:

determining a service provider rating for each of the plurality of service providers;

and

providing the service provider rating for each of the plurality of service providers to the client device.

3. (Previously presented) The method of claim 1, further comprising:

receiving a selection of a selected service provider from the plurality of service providers and a command to place an order for the service with the selected service provider; and
placing an order with the selected service provider.

4-8. (Canceled)

9. (Original) The method of claim 1, wherein the method is implemented in an electronic marketplace provider.

10. (Original) The method of claim 9, wherein the electronic marketplace provider is present on a proxy server.

11. (Original) The method of claim 9, wherein the electronic marketplace provider is present on the client device.

12. (Currently amended) An apparatus for providing service provider information to a client device in a distributed computer system, comprising:

a first interface which obtains bids from a plurality of service providers for providing a service;

a processor which, responsive to obtaining the bids, obtains route information from a route determination provider based on a first location associated with the client device and a second location associated with a corresponding service provider, obtains historical travel data from a historical database, calculates an estimated time of travel for each of the plurality of service providers based on the route information and the historical travel data, and determines an

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estimated time of completion for the service for each of the plurality of service providers based on the calculated estimated time of travel for each of the plurality of service providers; and

a second interface which provides the bids from the plurality of service providers and the estimated time of completion for the service for each of the plurality of service providers to the client device, wherein each bid includes a price for providing the service, wherein each bid further includes an estimated time to perform the service at the second location, and wherein the processor adds the estimated time of travel to the estimated time to perform the service at the second location.

13. (Previously presented) The apparatus of claim 12, wherein the processor determines a service provider rating for each of the plurality of service providers and the second interface provides the service provider rating for each of the plurality of service providers to the client device.

14. (Previously presented) The apparatus of claim 12, further comprising:

a third interface which receives a selection of a selected service provider from the plurality of service providers and a command to place an order for the service with the selected service provider; and

a fourth interface which places an order with the selected service provider.

15-19. (Canceled)

20. (Original) The apparatus of claim 12, wherein the apparatus is a part of an electronic marketplace provider.

21. (Original) The apparatus of claim 20, wherein the electronic marketplace provider is present on a proxy server.

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22. (Original) The apparatus of claim 20, wherein the electronic marketplace provider is present on the client device.

23. (Currently amended) A computer program product in a computer readable medium for providing service provider information to a service consumer in a distributed computer system, comprising:

instructions for obtaining bids from a plurality of service providers for providing a service;

instructions, responsive to obtaining the bids, for obtaining route information from a route determination provider based on a first location associated with the client device and a second location associated with a corresponding service provider;

instructions for obtaining historical travel data from a historical database;

instructions for calculating an estimated time of travel for each of the plurality of service providers based on the route information and the historical travel data;

instructions for determining an estimated time of completion for the service for each of the plurality of service providers based on the calculated estimated time of travel for each of the plurality of service providers; and

instructions for providing the bids from the plurality of service providers and the estimated time of completion for the service for each of the plurality of service providers to a service consumer, wherein each bid includes a price for providing the service, wherein each bid further includes an estimated time to perform the service at the second location, and wherein the instructions for determining an estimated time of completion for the service for each of the plurality of service providers comprises instructions for adding the estimated time of travel to the estimated time to perform the service at the second location.

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24. (Previously presented) The computer program product of claim 23, further comprising:

instructions for determining a service provider rating for each of the plurality of service providers; and

instructions for providing the service provider rating for each of the plurality of service providers to the service consumer.

25. (Previously presented) The computer program product of claim 23, further comprising:

instructions for receiving a selection of a selected service provider from the plurality of service providers and a command to place an order for the service with the selected service provider; and

instructions for placing an order with the selected service provider.

26-30. (Canceled)

31. (Original) The computer program product of claim 23, wherein the computer program product is executed in an electronic marketplace provider.

32. (Original) The computer program product of claim 31, wherein the electronic marketplace provider is present on a proxy server.

33. (Original) The computer program product of claim 31, wherein the electronic marketplace provider is present on the client device.

Reasons For Allowance

9. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system components of:

- *instructions for providing the bids from the plurality of service providers and the estimated time of completion for the service for each of the plurality of service providers to a service consumer,*
- *wherein each bid includes a price for providing the service,*
- *wherein each bid further includes an estimated time to perform the service at the second location, and*
- *wherein the instructions for determining an estimated time of completion for the service for each of the plurality of service providers comprises instructions for adding the estimated time of travel to the estimated time to perform the service at the second location.*

More specifically, the prior art of record fails to disclose accounting in a bid, for a service rendered at a plurality of locations for each of a plurality of service providers. Independent Claims 1, 12, and 23 are distinguished over the closest prior art of Vashistha, which teaches project management and development methods. As recited in independent claims 1, 12, and 23, it is clear that the Applicant's invention is distinguished over the Vashistha invention in at least the method step and/or system component of *wherein the instructions for determining an estimated time of completion for the service for each of the plurality of service providers comprises instructions for adding the estimated time of travel to the estimated time to perform the service at the second location*. Although Vashistha does disclose obtaining bids from a plurality of service providers for providing a service, Vashistha does not disclose applying techniques to more than one service to include adding an estimated time of travel.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- ROSS (WO 9427264 A1) discloses an APPARATUS AND METHOD OF NOTIFYING A RECIPIENT OF AN UNSCHEDULED DELIVERY.
- Johnson, Amy Helen Desktop Delivery discloses delivery software by pushing it onto a web browser.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **ANDREW J. FISCHER** can be reached at **571.272.6779**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

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17 November 2006

JAMES A. REAGAN
PRIMARY EXAMINER

